

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Cole on July 14, 2010.

The following Abstract has been inserted in the specification, following the claims.

- - Abstract

A process for initiating a reaction between methanol and hydrogen peroxide in the presence of a catalyst to produce a gas, which comprises contacting methanol and hydrogen peroxide in liquid phase and at a pressure equal to or above atmospheric pressure in the presence of a catalyst in metallic form selected from the group consisting of nickel, cobalt, copper, silver, iridium, gold, palladium, ruthenium, rhodium and platinum to initiate reaction between the methanol and the hydrogen peroxide to produce the gas. - -

The following is an examiner's statement of reasons for allowance: Claims 1, 3-7 and 10-18 are allowable over Oroskar et al (US 7,022,306) for the reasons presented by applicant in the Remarks of June 10, 2010, and the Interview Summary Records of June 7, 2010 and July 7, 2010. Moreover, although Oroskar et al disclose at col. 7, lines 14-19 that the decomposition and reforming catalysts can be "commingled" in a single

catalyst bed, and at col. 8, lines 52-56 that that the catalyst bed may comprise a "mixture" of catalysts for combining the process of decomposing the oxidizer and reforming the organic compound, with a further disclosure at col. 6, lines 49-62 that the catalyst may be metal catalysts as recited in applicant's claims, applicant's claims are not anticipated by Oroskar et al, since there is no specific disclosure of using methanol as the oxygenate in combination with metallic nickel, cobalt, copper, silver, iridium, gold, palladium, ruthenium, rhodium or platinum as the catalyst in the process. Oroskar et al disclose many possible oxygenates which can be used in the process at col. 5, lines 29-53, and also disclose at col. 6, lines 53-55 and 60-62 that the catalyst may be an oxide, sulfide or other compound of the metal, with preferred first and second catalysts being manganese oxide and zinc oxide, respectively. Applicant's claims are not anticipated by Oroskar et al since one would have to pick and choose from lists of the oxygenate and catalyst to arrive at methanol as the oxygenate and metallic nickel, cobalt, copper, silver, iridium, gold, palladium ruthenium, rhodium or platinum as the catalyst. Moreover, applicant's claims are not obvious over Oroskar et al since Oroskar et al specifically disclose at col. 7, lines 14-19 and col. 8, lines 52-56 that the process involves separate steps of decomposing the oxidizer (hydrogen peroxide) and reforming the organic compound (methanol). It would not be obvious from such disclosure of Oroskar et al to employ metallic nickel, cobalt, copper, silver, iridium, gold, palladium ruthenium, rhodium or platinum as the catalyst in the process, since applicant's specification provides evidence that such catalysts initiate the reaction between methanol and hydrogen peroxide, rather than simply catalyze the decomposition of the hydrogen

peroxide or the reformation of the methanol. Also, the Xiao Declaration filed under 37 CFR 1.132 on February 16, 2010 provides evidence that manganese dioxide (the preferred “first catalyst” of Oroskar et al) does not initiate the reaction between methanol and hydrogen peroxide. Accordingly it would be unexpected that metallic nickel, cobalt, copper, silver, iridium, gold, palladium ruthenium, rhodium or platinum would catalyze the initiation of the reaction between methanol and hydrogen peroxide, and there would be no motivation for one of ordinary skill in the art to select metallic nickel, cobalt, copper, silver, iridium, gold, palladium ruthenium, rhodium or platinum as the catalyst in that such catalyst would be inconsistent with the two step decomposition and reformation process disclosed at col. 7, lines 14-19 and col. 8, lines 38-56 of Oroskar et al.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wayne Langel whose telephone number is 571-272-1353. The examiner can normally be reached on Monday through Friday, 8 am - 3:30 pm Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Stanley Silverman can be reached on 571-272-1358. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Wayne Langel/
Primary Examiner, Art Unit 1793